(3)

of 2003

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P. No.435 of 2003

1. LALIT KUMAR AGRAWAL SON OF SHRI LAXMI NARAYAN AGRAWAL, PROPRIETOR, M/S. GURUDEV INDUSTRIES, NEVRA, RESIDENT OF VILLAGE TILDA NEVRA, DISTRICT-RAIPUR.

2. SMT. BIMLA BAI WIFE OF LAXMI NARAYAN AGRAWAL, ADULT, RESIDENT OF VILLAGE TILDA NEVRA, DISTRICT-RAIPUR.

P. R. No. 13/1/03 Presented by Shri V. K. Agrawal dated 15.1.03

PETITIONERS

VERSUS

1. UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS AND ALSO THROUGH THE SECRETARY, MINISTRY OF FINANCE, NEW DELHI.
2. PUNJAB NATIONAL BANK, A BANKING COMPANY CONSTITUTED UNDER THE RELEVANT PROVISIONS OF THE BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACDT, 1980, HAVING ITS INTERALIA AMONGST OFFICES A ZONAL OFFICE AT MEDICAL COLLEGE ROAD, RAIPUR

Received Copy A.S. Advocate 15/1/03

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS, CERTIORARI AND/OR ORDER(S), AND/OR DIRECTION(S) IN THE NATURE OF WRITS

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(112)

आदेश पत्रक

मामला क्रमांक W.P. 435/2003 सन् ~~200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ & HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004**: - Shri B.P. Sharma counsel for the petitioner. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri Shailendra Shukla counsel for respondent No.2. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. Sd/- Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये